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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,253	08/19/2003	David F. Hepner	SJO920020114US1	4638

50668 7590 07/14/2005

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EXAMINER	
LE, JOHN H	

ART UNIT	PAPER NUMBER
2863	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/643,253	HEPNER ET AL.	
	Examiner	Art Unit	
	John H. Le	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

1. This office action is in response to applicant's amendment received on 04/09/2005.

Claims 1, 8, 13, 17, and 23 have been amended.

Claims 24-27 have been added.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Donazzi et al. (USP 6,167,525).

Regarding claims 1, 8, 13, 17, and 23, Donazzi et al. teach a method for predicting the failure of an electronic circuit in an electronic device (e.g. abstract), the method comprising: receiving a measured value for current draw (current sensor, Col.6, lines 26-29) of the electronic circuit (power transmission) from at least one voltage supply (generator supply, Col.4, line 64); receiving at least one measured value for an environmental condition; determining if the measured current draw is outside a pass range for the measured environmental condition, wherein the at least one environment condition includes an environment temperature (temperature measuring, thermal sensor, Col.4, lines 65-68, Col.5, lines 1, Fig.5, Col.18, lines 4-47); and alerting of a

potential failure of the electronic circuit (e.g. Col. 9, lines 52-60, Col.10, lines 63-67, if the measured current draw is outside the pass range (current overload)(e.g. Col.14, lines 5-64).

Regarding claim 2, Donazzi et al. teach monitoring at least one operating condition of the electronic circuit (abstract), and wherein determining if the measured current draw is outside a pass range further comprises determining if the measured current draw is outside a pass range for the operating condition of the electronic circuit (current overload)(e.g. Col.14, lines 5-64).

Regarding claims 3, 9, 19, Donazzi et al. teach the operating condition includes a CPU utilization level (computer LPU, Col.9, lines 30-33).

Regarding claim 4, 10, 20, Donazzi et al. teach the operating condition includes a clock frequency (time frequency, Col.13, lines 10-18).

Regarding claim 5, 11, Donazzi et al. teach recording the current draw and environmental condition of the electronic circuit in a circuit log (e.g. Col.14, lines 44-50).

Regarding claim 6, Clark et al. teach if the electronic circuit fails, isolating the electronic circuit from among a plurality of potentially failed electronic circuits in the electronic device (e.g. Col.11, lines 1-45) using the recorded current draw and environmental condition of the electronic circuit (e.g. Col.14, lines 13-24).

Regarding claims 7, 12, 16, 22, Donazzi et al. teach monitoring the current draw of significant circuit functions (e.g. Col.3, lines 32-36).

Regarding claim 14, Donazzi et al. teach recording the current draw in nonvolatile memory (e.g. Col.12, lines 30-39, Col.14, lines 44-50).

Regarding claim 15, Donazzi et al. teach placing the assembled electronic circuit in a controlled environment (e.g. Col.18, lines 65-67).

Regarding claim 21, Donazzi et al. teach computer readable program code configured to cause the program (programmable control unit) to record the current draw and environmental condition of the electronic circuit in a circuit log (e.g. Col.6, lines 47-57).

Regarding claim 24-27, Donazzi et al. teach environmental condition includes an environment humidity (e.g. moisture, Col.14, lines 5-6, Col.16, lines 18-25, Col.18, lines 13-15).

Response to Arguments

4. Applicant's arguments filed 04/09/2005 have been fully considered but they are not persuasive.

-Applicant argues that the prior did not teach "a failure alert unit configured to provide an alert notification when the measured current draw is outside a pass range for the measured environmental condition, wherein the at least one environment condition includes an environment temperature" as cited in claims 1, 8, 13, 17, and 23.

Examiner position is that Donazzi et al. teach a failure alert unit (alarm generation, Col.10, lines 63-66, failure watchdog, Col.11, lines 10-19) configured to provide an alert notification when the measured current draw is outside a pass range for the measured environmental condition, wherein the at least one environment condition includes an environment temperature (temperature measuring, thermal sensor, Col.4, lines 65-68, Col.5, lines 1, Fig.5, Col.18, lines 4-47).

Conclusion

5. Specifically Donazzi et al. has been added to second ground of rejection.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John H Le whose telephone number is 571-272-2275. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John H. Le

Patent Examiner-Group 2863

July 8, 2005

John Barlow
Supervisory Patent Examiner
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